

RESPONSE

Remarks

Claims 1-33 are pending in the Application. Claims 1, 15, 31, 32 and 33 are in independent format.

Applicant now responds to the Examiner's assertions for the cited claims.

Information Disclosure Statement

The Applicant filed an Electronic Information Disclosure Statement (IDS) on December 16, 2004, EFSID 74395, including 41 U.S. Patent references. The current Office Action was mailed on December 17, 2004. The Applicant includes a paper copy of the Electronic IDS filed on December 16, 2004. The Applicant requests the Examiner now consider this Electronic IDS in the present application.

If a fee is required because of the timing of the filing of the Electronic IDS and the mailing of the Office action, the Applicant will pay the fee for Submission of an Information Disclosure Statement under 37 C.F.R. 1.17(p). The Applicant was not aware of the mailing of Office Action when the Application was filed. The Applicant requests the Examiner indicate whether the fee is required for the Examiner to consider the IDS filed electronically on December 16, 2004.

The Applicant also submits an additional Supplemental IDS on paper with three references cited by the European Patent Office in an International Search

Report for PCT/US2004/009,628. The Applicant desires to make this corresponding PCT patent application and International Search Report of record in the current application. The Applicant requests this Supplemental IDS be considered by the Examiner. The Applicants includes the \$180.00 fee for Submission of the Supplemental IDS under 37 C.F.R. 1.17(p).

Claim Objections

The Examiner asserts, that Claims 2, 4, 16 and 18 are objected to because of informalities including spelling mistakes and missing commas. Applicant has corrected the spelling mistakes and added the missing commas and requests the objections to these claims be withdrawn.

Section 112 Rejection, Second Paragraph

The Examiner asserts "Claims 1-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention."

The Applicant traverses all of the Examiner's assertions, accepts all of the Examiner's admissions and responds as follows. The Applicant may comment on only selected specific comments by the Examiner, but the Applicant still intends to traverse all of the Examiner's assertions.

Section 112, Second Paragraph Response

The Applicant has amended Claims 1, 13-15 and 29-31 to correct typing mistakes associated with “intermittent movement.” The Applicant submits these claims are now definite and requests the Examiner withdrawn the Section 112, second paragraph for these claims.

The Applicant has amended Claims 13, 14, 29 and 30 to correct typing mistakes associated with “intermittent operation.” The Applicant submits these claims are now definite and requests the Examiner withdraw the Section 112, second paragraph for these claims.

The Applicant has amended Claim 15 to correct typing mistakes associated with “electronic circuit board.” The Applicant submits this claim is now definite and requests the Examiner withdraw the Section 112, second paragraph for this claim.

The Applicant has amended Claim 28 to correct typing mistakes associated with “heat absorbing filaments.” The Applicant submits this claim is now definite and requests the Examiner withdraw the Section 112, second paragraph for this claim.

The Applicant submits that all Claims 1-31 are now definite and requests the Examiner withdraw the Section 112 rejection for all the Claims 1-31.

Allowable Subject Matter

The Applicant sincerely thanks the Examiner for the allowable subject matter in Claims 1-31. The Applicant has amended the claims as requested by the Examiner and submits that all Claims 1-33 should now be immediately allowable in the present form.

CONCLUSION

The prior art made of record in the Office Action but not relied upon by the Examiner is also not pertinent to Applicant's invention. The Applicant therefore submits that all of the Claims in their present form are immediately allowable and requests the Examiner withdraw all rejections of all the Claims and pass all of the pending Claims 1-33 immediately to allowance.

Respectfully submitted,

Lesavich High-Tech Law Group, P.C.

Date: May 11, 2005

By:



Stephen Lesavich
Registration No. 43,749